

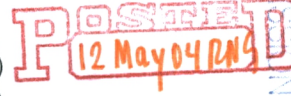


BEFORE THE  
SOUTH CAROLINA PUBLIC SERVICE COMMISSION

Application of

Tel West Communications, LLC

To Approve Transfer of Assets and Transfer of the  
Certificate of Public Convenience and Necessity of  
HTR&L Enterprises, Inc. d/b/a Hart Communications to  
Tel West Communications, LLC



**APPLICATION FOR APPROVAL OF ASSIGNMENT OF ASSETS AND  
TRANSFER OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

Tel West Communications, LLC ("Tel West") pursuant to South Carolina Code Section 58-9-310, hereby requests approval from the South Carolina Public Service Commission ("Commission") to:

1. Transfer and assign the South Carolina assets of HTR&L Enterprises, Inc., d/b/a Hart Communications ("Hart"), consisting exclusively of its customer base, to Tel West, and
2. Transfer Hart's Certificate of Public Convenience and Necessity ("CPCN") to Tel West.

This application is being filed as a result of the execution of an Asset Purchase Agreement ("Agreement") between Hart and Tel West, pursuant to which Tel West acquired the customer base of Hart Communications in South Carolina.

**I. BACKGROUND**

Tel West has been providing local exchange service to the former customers of Hart since the acquisition of Hart's assets in September 2001. Prior to and following the effective date of the Agreement with Hart, Tel West advised the Commission staff of its acquisition of Hart's customer base and solicited the staff's assistance in preparing and filing the appropriate documentation to transfer Hart's CPCN to Tel West, or in the alternative, to change Hart's name in South Carolina to Tel West Communications, LLC. Tel West received neither acknowledgement nor assistance from the Commission's staff to any of its verbal or written communications and requests. Copies of two of these documents are enclosed as Exhibit A, submitted for the sole purpose of demonstrating the

good faith efforts of Tel West to communicate with the Commission and solicit its assistance in this matter.

Since its acquisition of Hart, Tel West has submitted all required reports and paid all appropriate fees to the Commission under the name of Tel West Communications, LLC. These documents are on file with the Commission.

Tel West has entered into Interconnection and/or Resale Agreements with several Incumbent Local Exchange Carriers ("ILECs") in South, which the Commission approved.<sup>1</sup> Tel West is submitting as Exhibit B the Commission's orders approving two of these agreements.

Tel West currently provides service to approximately 1,400 customers in South Carolina. All service is provided on a resold basis only, as Tel West has no facilities or switching equipment in South Carolina. Tel West has no business offices or employees in South Carolina.

In support of this Petition, Tel West respectfully provides the following information:

## II. THE PARTIES

### A. HTR&L Enterprises, Inc., d/b/a Hart Communications

HTR&L Enterprises, Inc. d/b/a Hart Communications no longer exists, but previously was a company with its principal place of business at 1919 N. Ashley Street, Valdosta, GA 31601, and provided local exchange services on a resale basis in several states, including South Carolina. Hart was authorized to provide local exchange services on a resale basis in South Carolina in Order No. 97-814 in Docket No. 97-230-C, issued by the Commission in Docket on September 18, 1997. Tel West assumes that further information concerning Hart was filed with its application for authority to provide service in the above referenced docket. This information is therefore already a matter of public record at the Commission and Tel West respectfully requests that it be incorporated by reference herein.

### B. Tel West Communications, LLC

Tel West is a limited liability company organized in the state of Arizona, with its principal business office located at 3701 S. Norfolk Street, Suite 300, Seattle, WA 98118. Tel West's LLC

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<sup>1</sup> E.g., Docket No. 201-362-C, Resale Agreement between Farmers Telephone Cooperative, Inc. and Tel West Communications, LLC d/b/a Hart Communications, August 16, 2001; and Docket No. 2001-413-C, Application for Approval of a Standard Resale Agreement between Horry Telephone Cooperative and Tel West Communications, LLC d/b/a Hart Communications, October 16, 2001. Tel West also has Interconnection and/or Resale Agreements with BellSouth, Sprint and Verizon in South Carolina.

organization documents are attached as Exhibit C. Tel West's Certificate of Authority to Transact Business in South Carolina is attached as Exhibit D. Tel West's Federal EIN is 86-0919710.

Tel West currently provides service in 15 states, reselling services of Incumbent Local Exchange Carriers ("ILECs") in all 15 states, and also provides facilities-based services on its own switching and network platform in the state of Washington. A copy of Tel West's 2003 financial statements are attached as Exhibit E. Tel West is led by a highly qualified team of management personnel who have the requisite technical and managerial experience to provide telecommunications services in the state of South Carolina. Tel West draws upon the considerable experience of such key personnel who currently manage Tel West's operations in each of its 15 states. Brief biographical statements of Tel West's key management personnel are attached hereto as Exhibit F.

## **II. DESIGNATED CONTACTS**

The Designated Contacts for this Petition are:

James G. Schrank, Controller  
Tel West Communications, LLC  
3701 S. Norfolk Street, Suite 300  
Seattle, WA 98118  
206-577-6354  
jschrank@telwestservices.com

With a copy to:

Donald O. Taylor  
Taylor Telecom Consulting Service  
24428 – 145<sup>th</sup> Place SE  
Kent, WA 98042  
253-639-4076  
donaldotaylor@msn.com

## **III. DESCRIPTION OF THE TRANSACTION**

Tel West acquired the assets of Hart in South Carolina, which consisted solely of Hart's South Carolina customer base, on a cash sale basis. That is, Tel West paid to Hart a dollar amount for each existing South Carolina customer of Hart, and began billing customers for the resold service provided, beginning on or about September 1, 2001, under the provisions of Hart's resale agreements with BellSouth and other ILECs in South Carolina. The Agreement between Tel West and Hart, and the transfer of customers from Hart to Tel West, did not involve any changes to the

services provided to customers, and was a virtually seamless transfer. Tel West has no record of receiving any customer complaints, either directly from a customer or from the Commission, as a result of this transfer of service to Tel West.

#### **IV. PUBLIC INTEREST CONSIDERATIONS**

Tel West respectfully submits that the transfer of Hart's CPCN to Tel West in the public interest. The transfer of service from Hart to Tel West was completed without harm or inconvenience to affected customers. Transfer of Hart's CPCN will facilitate proper record keeping for all parties involved, and will clarify that Tel West Communications, LLC is a certificated provider of service, replacing Hart Communications.

#### **V. WAIVER REQUEST AND REGULATORY COMPLIANCE**

1. With respect to tariffs, Tel West adopted the effective tariffs of Hart in South Carolina commencing with provision of services in 2001. Tel West will submit tariffs of its own, replacing Hart's tariffs, if so directed by the Commission.
2. Pursuant to the Commission's Order No. 95-658 (issued March 20, 1995), Tel West makes the following affirmation:

As a telephone utility under the regulation of the Public Service Commission of South Carolina, Carrier does hereby assert and affirm that as a reseller of intrastate telecommunications service, Carrier will not indulge or participate in deceptive or misleading telecommunications marketing practices to the detriment of consumers in South Carolina, and will comply with those marketing procedures, if any, set forth by the Public Service Commission. Additionally, Carrier will be responsible for the marketing practices of its contracted telemarketers for compliance with this provision. Carrier understands that violation of this provision could result in a rule to show cause as to the withdrawal of its certification to complete intrastate telecommunications traffic within the state of South Carolina.

3. Tel West requests a waiver of the requirements of Rule 103-630 to publish and distribute local exchange directories. Tel West has entered into agreements with all ILECs with whom it has Resale agreements to include the names of its customers in their directories.
4. Tel West requests a waiver of the requirement in Rule 103-631 that all records required under the rules be kept within the state of South Carolina. Tel West proposes to maintain its

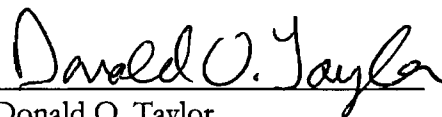
records at its principal office, but will make records available to the Commission upon request.

5. Tel West requests that it be exempt from any record keeping policies that might require a carrier to maintain its financial records in conformance with the Uniform System of Accounts ("USOA"). As a competitive carrier, Tel West will not be subject to rate base regulation, and therefore requests Commission approval to maintain its books in accordance with Generally Accepted Accounting Principles.

## VI. CONCLUSION

For the foregoing reasons, Tel West respectfully requests the Commission to authorize the transfer of certificate and assets, including the customer base, of HTR&L Enterprises, Inc. d/b/a Hart Communications, to Tel West Communications, LLC, as described herein.

Respectfully Submitted,



Donald O. Taylor  
Taylor Telecom Consulting Service  
24428 – 145<sup>th</sup> Place SE  
Kent, WA 98042  
253-639-4076 (Tel)  
253-639-4830 (Fax)  
donaldotaylor@msn.com

Representing Tel West

Dated: April 26, 2004

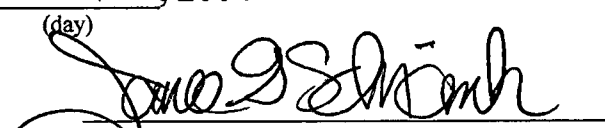
State of Washington

COUNTY OF KING

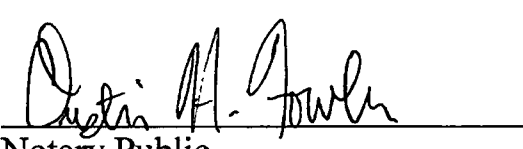
### VERIFICATION

I, James G. Schrank, state that I am Controller of Tel West Communications, LLC, Applicant in the foregoing Application; that I am authorized to make this Verification on behalf of Tel West Communications, LLC; that the foregoing Application was prepared under my direction and supervision; and that the statements in the foregoing document with respect to Tel West Communications, LLC are true and correct to the best of my knowledge, information and belief.

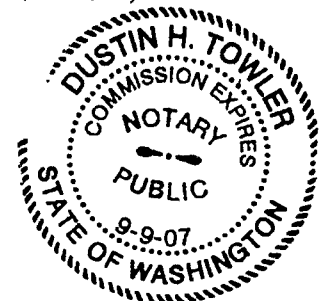
Executed on APRIL 26<sup>TH</sup>, 2004  
(Month) (day)

  
James G. Schrank  
Controller  
Tel West Communications, LLC

Sworn and subscribed before me this 26<sup>th</sup> day of April, 2004.

  
Notary Public  
(Dustin H. Towler)

My Commission Expires: 09/09/2007



**TEL WEST COMMUNICATIONS, LLC**

**APPLICATION FOR APPROVAL OF ASSIGNMENT OF ASSETS  
AND  
TRANSFER OF CPCN**

**LIST OF EXHIBITS**

- |                  |  |
|------------------|--|
| <b>EXHIBIT A</b> | <b>CORRESPONDENCE WITH PSC</b>   |
| <b>EXHIBIT B</b> | <b>PSC ORDERS APPROVING RESALE<br/>AGREEMENTS</b>                                  |
| <b>EXHIBIT C</b> | <b>TEL WEST ORGANIZATION DOCUMENTS</b>   |
| <b>EXHIBIT D</b> | <b>TEL WEST CERTIFICATE OF AUTHORITY TO<br/>CONDUCT BUSINESS IN SOUTH CAROLINA</b> |
| <b>EXHIBIT E</b> | <b>TEL WEST 2003 FINANCIAL DOCUMENTS</b>   |
| <b>EXHIBIT F</b> | <b>TEL WEST KEY PERSONNEL RESUMES</b>  |

**TEL WEST COMMUNICATIONS, LLC**  
**APPLICATION FOR APPROVAL OF ASSIGNMENT OF ASSETS**  
**AND**  
**TRANSFER OF CPCN**

**EXHIBIT A**  
**CORRESPONDENCE WITH PSC**

# Taylor Telecom Consulting Service



24428 - 145th Place SE ♦ Kent WA 98042  
Phone 253-639-4076 ♦ *donaldotaylor@msn.com*

## Fax Cover Sheet

**To:** JAMES McDANIEL SC PSC

**Fax:** 803-896-5199

**Pages:** (Including Cover) 2

**Phone:**

**Date:** 9/18/01

**Re:** Name Change Request

**CC:**

☒ **Urgent**    ☒ **For Review**    ☐ **Please Comment**    ☒ **Please Reply**    ☐ **Please Recycle**

● **Comments:**

The attached letter was the original request for a change of name from Hart Communications to Tel West Communications, due to the purchase of Hart by Tel West 9/1/2000. I realize there may be a formal process for this change. If so, please advise the steps I should take to make this happen as quickly as possible.

The PSC has already approved a resale agreement between Tel West Communications dba Hart Communications and Farmers Telephone Cooperative. But we also have an unapproved resale contract with Horry Telephone Company. In the latter case, the filing was made without reference to Hart Communications, unfortunately. Tel West and Horry are preparing an amendment to correct this oversight, but in the meantime Tel West has customers waiting for service.

I will prepare and file whatever documents are required to effect the change of name and transfer of certification from Hart to Tel West, and I appreciate your assistance in this matter.

Don Taylor  
Consultant to Tel West

Ex A, Page 2 of 2  
Taylor Telecom Consulting Service

August 27, 2002

VIA U.S. MAIL

Gary E. Walsh  
Executive Director  
South Carolina PSC  
PO Drawer 11649  
Columbia, SC 29211

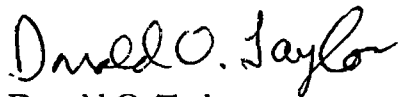
Dear Mr. Walsh:

Enclosed is a completed contact information sheet as requested by Judy Matthews in her August 15, 2002 letter to Ron Smith of Hart Communications ("Hart"). Please be advised that Hart has not provided service in South Carolina since September 2000 when Hart's customers were acquired by Tel West Communications, LLC ("Tel West"). Tel West and Hart notified the Commission of this transaction and requested the Commission's assistance in the transition of service providers. However, the Companies received no assistance or advice in that matter. Since that time, Tel West has submitted annual reports, reported gross income, and paid taxes to the Municipal Association of South Carolina, but as of this date is not listed on the Commission's website as a CLEC. Hart Communications is still listed as a CLEC, however, and continues to receive correspondence from the Commission.

Therefore, Tel West hereby requests the Commission's assistance in determining the steps required for the South Carolina PSC to recognize Tel West as the provider of service to the former customers of Hart Communications, and to be listed as a competitive service provider of local services in South Carolina. As Tel West's consultant and regulatory contact, I will ensure that any necessary documents are completed and filed.

Please contact me with any questions or information pertaining to this matter.

Sincerely,



Donald O. Taylor  
Consultant to Tel West

Enclosures

cc: Tel West

**TEL WEST COMMUNICATIONS, LLC**  
**APPLICATION FOR APPROVAL OF ASSIGNMENT OF ASSETS**  
**AND**  
**TRANSFER OF CPCN**

**EXHIBIT B**  
**PSC ORDERS APPROVING RESALE AGREEMENTS**

COMMISSIONERS  
WILLIAM "BILL" SAUNDERS, 1ST DISTRICT  
CHAIRMAN  
H. CLAY CARRUTH, JR., 5TH DISTRICT  
VICE CHAIRMAN



EX-03, Page 1 of 3

COMMISSIONERS  
JAMES BLAKE ATKINS, Ph.D., 2ND DISTRICT  
RANDY MITCHELL, 3RD DISTRICT  
PHILIP T. BRADLEY, 4TH DISTRICT  
MIGNON L. CLYBURN, 6TH DISTRICT  
C. ROBERT MOSELEY, AT LARGE

GARY E. WALSH  
EXECUTIVE DIRECTOR  
Phone: (803) 896-5100  
Fax: (803) 896-5199

## The Public Service Commission State of South Carolina

PO Drawer 11649  
Columbia, SC 29211  
Koger Executive Center  
101 Executive Center Dr.  
Columbia, SC 29210  
[www.psc.state.sc.us](http://www.psc.state.sc.us)

August 16, 2001

Margaret M. Fox, Esquire  
McNair Law Firm, P.A.  
Post Office Box 11390  
Columbia, SC 29211

Re: **Docket No. 2001-362-C** – Resale Agreement between Farmers Telephone  
Cooperative, Inc. and Tel West Communications, LLC d/b/a Hart Communications

Dear Ms. Fox:

This office has received your Application, which has been assigned the above-referenced docket number. This docket will be processed as soon as possible.

PLEASE BE ADVISED THAT THE COMMISSION'S RULES AND REGULATIONS AND EXISTING SOUTH CAROLINA LAW REQUIRE PARTICIPATION BY AN ATTORNEY ADMITTED TO PRACTICE IN SOUTH CAROLINA FOR THE REPRESENTATION OF THE INTERESTS OF ANY PERSON OR GROUP OTHER THAN AN INDIVIDUAL'S INTEREST. If an attorney from outside South Carolina wishes to represent a party before the Commission, then he or she must be accompanied by an attorney admitted to practice in South Carolina. Your attention is directed to R.103-804(S) of the Rules of Practice and Procedure of the Commission regarding representation.

If you have any questions relative to this docket, please call the Commission at (803) 896-5125.

Sincerely,

GARY E. WALSH  
Executive Director

GEW/hha

cc: J. L. McDaniel, Chief Executive Officer, Farmers Telephone Coop., Inc.  
Jeff Swickard, President, Tel West Communications

Ex B, Page 2 of 3, 10

## COMMISSION DIRECTIVE

ADMINISTRATIVE DEPT. \_\_\_\_\_ DATE August 21 2001  
 TRANSPORTATION DEPT. \_\_\_\_\_ DOCKET NO. 2001-362-C  
 UTILITIES DEPT. XXX ORDER NO. \_\_\_\_\_

Approval of a Resale Agreement between Farmers Telephone Cooperative, Inc. and Tel West Communications, LLC d/b/a Hart Communications, Inc. Discuss with Commission receipt of request for approval of this agreement which addresses rates, terms and conditions concerning the resale (no discount) of Farmers' services so as to enable Tel West to offer competitive telecommunications services. Tel West was certified as Hart Communications to provide local telecommunications services within South Carolina under Docket No. 97-230-C.

## COMMISSION APPROVAL:

PRESIDING SaundersATKINS ✓BRADLEY AbsentCARRUTH ✓CLYBURN MMITCHELL ✓MOSELEY ✓SAUNDERS ✓REGULAR SESSION ✓

SPECIAL SESSION \_\_\_\_\_

TIME OF SESSION 10:30 A.M.

Approve Negotiated Resale Agreement  
 between Farmers Telephone Cooperative, Inc.  
 and Tel West Communications, LLC  
 d/b/a Hart Communications, Inc.

APPROVED ✓

APPROVED STC 30 DAYS \_\_\_\_\_

ACCEPTED FOR FILING \_\_\_\_\_

DENIED \_\_\_\_\_

AMENDED \_\_\_\_\_

TRANSFERRED \_\_\_\_\_

SUSPENDED \_\_\_\_\_

CANCELED \_\_\_\_\_

SET FOR HEARING \_\_\_\_\_

ADVISED \_\_\_\_\_

CARRIED OVER \_\_\_\_\_

RECORDED BY [Signature]

COMMISSIONERS  
WILLIAM "BILL" SAUNDERS, 1ST DISTRICT  
CHAIRMAN  
H. CLAY CARRUTH, JR., 5TH DISTRICT  
VICE CHAIRMAN



Ex B, Page 3 of 3

COMMISSIONERS  
JAMES BLAKE ATKINS, Ph.D., 2ND DISTRICT  
RANDY MITCHELL, 3RD DISTRICT  
PHILIP T. BRADLEY, 4TH DISTRICT  
MIGNON L. CLYBURN, 6TH DISTRICT  
C. ROBERT MOSELEY, AT LARGE

GARY E. WALSH  
EXECUTIVE DIRECTOR  
Phone: (803) 896-5100  
Fax: (803) 896-5199

## The Public Service Commission State of South Carolina

PO Drawer 11649  
Columbia, SC 29211  
Synergy Business Park  
101 Executive Center Dr.  
Columbia, SC 29210  
[www.psc.state.sc.us](http://www.psc.state.sc.us)

October 16, 2001

Margaret M. Fox  
McNair Law Firm, P.A.  
Post Office Box 11390  
Columbia, South Carolina 29211

In Re: Docket No. 2001-413-C: Application for Approval of a Standard Resale Agreement between  
Horry Telephone Cooperative and Tel West Communications, LLC d/b/a Hart Communications

Dear Ms. Fox:

The Standard Resale Agreement between Horry Telephone Cooperative and Tel West Communications, LLC d/b/a Hart Communications was presented to the Commission for consideration during its Regular Business Session on October 2, 2001.

After consideration, the Commission approved this Agreement since it is consistent with the standards of Section 252 (a) (1) of the Telecommunications Act of 1996 and since it is not discriminatory and is consistent with the public interest in that it promotes competition.

Consistent with previous Commission Orders, the Commission finds that the terms of this Agreement are not to be considered as a precedential standard for other agreements, nor are they binding on any other communications carrier.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "D. S. Lacoste".  
David S. Lacoste  
Utilities Department

**TEL WEST COMMUNICATIONS, LLC**  
**APPLICATION FOR APPROVAL OF ASSIGNMENT OF ASSETS**  
**AND**  
**TRANSFER OF CPCN**

**EXHIBIT C**

**TEL WEST ORGANIZATION DOCUMENTS**

# STATE OF ARIZONA



## Office of the CORPORATION COMMISSION

### CERTIFICATE OF GOOD STANDING

To all to whom these presents shall come, greeting:

I, Brian C. McNeil, Executive Secretary of the Arizona Corporation Commission, do hereby certify that

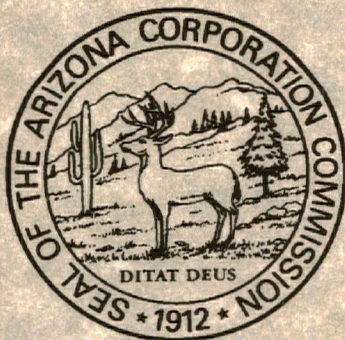
**\*\*\*TEL WEST COMMUNICATIONS L.L.C.\*\*\***

a domestic limited liability company organized under the laws of the State of Arizona, did organize on the 5th day of June 1998.

I further certify that according to the records of the Arizona Corporation Commission, as of the date set forth hereunder, the said limited liability company is not administratively dissolved for failure to comply with the provisions of A.R.S. section 29-601 et seq., the Arizona Limited Liability Company Act; and that the said limited liability company has not filed Articles of Termination as of the date of this certificate.

This certificate relates only to the legal existence of the above named entity as of the date issued. This certificate is not to be construed as an endorsement, recommendation, or notice of approval of the entity's condition or business activities and practices.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Arizona Corporation Commission. Done at Phoenix, the Capital, this 17th Day of November, 2003, A. D.



Executive Secretary

By

Ex C, Page 2 of 7

EX-103 173  
AZ CORP COMMISSION  
FILED

DO NOT PUBLISH  
THIS SECTION

ARTICLES OF ORGANIZATION

JAN 5 2 05 PM '98

OF

**WEST TEL Communications LLC**

(An Arizona Limited Liability Company)

ARTICLE 1  
The company name must contain an ending which may be "limited liability company," "limited company," or the abbreviations "LLC", "LC", "LLC" or "LC". If you are the holder or assignee of a trademark or trademark, attach Declaration of Tradename Holder form.

ARTICLE 2  
May be in care of the statutory agent.

ARTICLE 3  
The statutory agent address cannot be a P.O. Box. It must be a physical address in Arizona. The agent must sign the Articles or provide a consent to acceptance of appointment.

ARTICLES 4  
Complete this section only if you desire to select a date or occurrence when the company will dissolve. If perpetual duration is desired, leave this section blank.

ARTICLE 5.a.  
Check which management structure will be applicable to your company.

1. Name. The name of the limited liability company is:  
**WEST TEL Communications LLC**

2. Registered Office. The address of the registered office in Arizona is:  
**14601 S. 32nd Place Phoenix Arizona 85044**

located in the County of **Maricopa**

3. Statutory Agent. (In Arizona) The name and address of the statutory agent of the company is:  
**Peter D. HATTASCH**  
**14601 S. 32nd Place**  
**Phoenix AZ 85044**

4. Dissolution. The latest date, if any, on which the limited liability company must dissolve is \_\_\_\_\_

5.a. Management.  
☒ Management of the limited liability company is vested in a manager or managers. The names and addresses of each person who is a manager AND each member who owns a twenty percent or greater interest in the capital or profits of the limited liability company are:

☐ Management of the limited liability company is reserved to the members. The names and addresses of each person who is a member are:

Ex C, Page 3 of 7

DO NOT PUBLISH  
THIS SECTION

5.b.

Name:

Peter D. HATTASCH☐ member☒ manager☐ member☐ manager

Address:

14601 S. 32nd Place

City, State, Zip:

Phoenix AZ 85044

Name:

☐ member☐ manager☐ member☐ manager

Address:

City, State, Zip:

## ARTICLE 5.b.

Depending upon your selection in 5.a., provide the names and address of the managers and members of the organization. Check the applicable title for each person. A member managed company cannot contain a manager or managers.

EXECUTED this 4 day of June, 19 98
  
Peter D. HATTASCH
President

[Print Name Here]

[Print Name Here]

PHONE (602) 759-0753 FAX \_\_\_\_\_

## Acceptance of Appointment By Statutory Agent

The person(s) executing this document need not be member(s) of the company.

Your fax and phone number is optional.

The agent may consent to the appointment by either executing the consent, attaching a cover letter, or if paying by check, executing the check.

I Peter D. Hattasch, having been designated to act as Statutory Agent, hereby consent to act in that capacity until removed or resignation is submitted in accordance with the Arizona Revised Statutes.

Ex C, Page 4 of 7



STATE OF ARIZONA  
CORPORATION COMMISSION

I hereby certify this to be a true  
and complete copy of the document filed  
in this office and admitted to record in  
File No. 1-087240-3

  
Executive Secretary

Dated: 12-29-03 By: 

EX C, page 5 of 7

AZ. CORP. COMMISSION  
FILED

PAID

NOV 9 1999

## ARTICLES OF AMENDMENT

APPR. Mary R. Jones  
TERM 12-10-99  
DATE 1-0842640-3

OF

TEL WEST COMMUNICATIONS, LLC  
(Name of Limited Liability Company)

1. The name of the limited liability company is TEL WEST COMMUNICATIONS, LLC
2. The Articles of Organization were originally filed with the Arizona Corporation Commission on the 15 day of June, 19 98
3. Attached hereto as Exhibit A is the text of the amendment.

This corporation is Removing Manager Peter Hattasch

Adding Manager

Theresa Fuller

1904 3rd Ave Ste 711

Seattle WA 98101

Dated this 9 day of Nov, 19 99TEL WEST COMMUNICATIONS, LLC  
(Name of limited liability company)By Pete HattaschName: Pete Hattasch(Check one ☐ Member ☒ Manager)

LL-0022

Ex C, Page 6 of 7

**TEL WEST COMMUNICATIONS L.L.C.****AZ. CORP. COMMISSION****FILED**

NOV 24 1998

APPR.  
TERM  
DATE

Tom H

1998

Loff 26403

November 23, 1998

Arizona Corporate Commission  
Corporate Filings  
Phoenix, Arizona 85004**PAID**

Regarding: Amendment TEL WEST COMMUNICATIONS LLC:

Dear Administrator:

Name of L.L.C.

TEL WEST COMMUNICATIONS LLC

Date initial articles were filed:

05 June 1998

Amendment to the articles:

Addition of Manager Jeffrey Seidhard  
with 55% share in the LLC. Position of Director  
Marketing and Sales. Address: 7567 Camel Ave SW  
Seattle, WA. 98148Change % ownership status Manager Peter  
Haltach to 45% Ownership.

Sincerely,

Peter Haltach  
President

Ex C, Page 7 of 7

ARTICLES OF AMENDMENT

OF

**TEL WEST COMMUNICATIONS, L.L.C.**  
 [Name of Limited Liability Company]

1. The name of the limited liability company is **Tel West Communications, L.L.C.**
2. The Articles of Organization were originally filed with the Arizona Corporation Commission on the 5<sup>th</sup> day of **June, 1998.**
3. Attached hereto as Exhibit A is the text the amendment.

**Teresa Fuller is removed as Manager, and Member as of January 01, 2003.**

Dated this 26<sup>th</sup> day of FEBRUARY, 2004

**Tel West Communications, L.L.C.**  
 [Name of Limited Liability Company]

By: Jeffrey K. Swickard

Name: Jeffrey K. Swickard

[Check One: ☐ Member ☒ Manager]

LL:0022

Rev: 01/04

**TEL WEST COMMUNICATIONS, LLC**  
**APPLICATION FOR APPROVAL OF ASSIGNMENT OF ASSETS**  
**AND**  
**TRANSFER OF CPCN**

**EXHIBIT D**

**TEL WEST CERTIFICATE OF AUTHORITY TO CONDUCT**  
**BUSINESS IN SOUTH CAROLINA**

# *The State of South Carolina*



## *Office of Secretary of State Jim Miles* **Certificate of Authorization**

**I, Jim Miles, Secretary of State of South Carolina Hereby certify that:**

TEL WEST COMMUNICATIONS, L.L.C., A Limited Liability Company duly organized under the laws of the State of ARIZONA, and issued a certificate of authority to transact business in South Carolina on May 1st, 2001, with a duration that is at will, has as of this date filed all reports due this office, including its most recent annual report as required by section 33-44-211, paid all fees, taxes and penalties owed to the Secretary of State, that the Secretary of State has not mailed notice to the company that it is subject to being dissolved by administrative action pursuant to section 33-44-809 of the South Carolina Code, and that the company has not filed a certificate of cancellation as of the date hereof.

Given under my Hand and the Great Seal of  
the State of South Carolina this 11th day of  
May, 2001.

A handwritten signature of Jim Miles in black ink, written over a horizontal line.

Jim Miles, Secretary of State

**TEL WEST COMMUNICATIONS, LLC**  
**APPLICATION FOR APPROVAL OF ASSIGNMENT OF ASSETS**  
**AND**  
**TRANSFER OF CPCN**

**EXHIBIT E**

**TEL WEST 2003 FINANCIAL DOCUMENTS**

	Jan - Dec 03
Ordinary Income/Expense	
Income	
Gross Sales	
Business Service - Metronet	
OR Business	9,447.01
WA Business	374,837.84
Business Service - Metronet - Other	1,995,922.91
Total Business Service - Metronet	2,380,207.76
General Mkt - Residential	
AZ General Mkt - Residential	3,429.37
OR General Mkt - Residential	20,419.58
WA General Mkt - Residential	60,769.07
Total General Mkt - Residential	84,618.02
Lifeline (USAC) Service	0.00
Misc. Phone Services	0.00
Residential Service	
Alabama	
Alabama Prepaid	
Alabama Agent Payment	935,091.12
Alabama Direct Payment	374,632.80
Total Alabama Prepaid	1,309,723.92
Alabama - Other	2,264.02
Total Alabama	1,311,987.94
Arizona	
Arizona Prepaid	
Arizona Agent Payment	8,261.84
Arizona Direct Payment	68,778.72
Total Arizona Prepaid	77,040.56
Total Arizona	77,040.56
California	
California Prepaid	
California Agent Payment	12,148.23
California Direct Payment	512,900.47
California Prepaid - Other	1,927.66
Total California Prepaid	526,976.36
Total California	526,976.36
Florida	
Florida Prepaid	
Florida Agent Payment	133,669.51
Florida Direct Payment	139,119.00
Total Florida Prepaid	272,788.51
Florida - Other	3,260.24
Total Florida	276,048.75

TEL WEST Communications L.L.C.  
**Profit & Loss**  
January through December 2003

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	Jan - Dec 03
Georgia	
Georgia Prepaid	
Georgia Agent Payment	1,134,555.13
Georgia Direct Payment	516,965.28
Total Georgia Prepaid	1,651,520.41
Georgia - Other	9,569.22
Total Georgia	1,661,089.63
Idaho	
Idaho Pre Paid	
Idaho Direct Payment	1,648.03
Total Idaho Pre Paid	1,648.03
Total Idaho	1,648.03
Kentucky	
Kentucky Prepaid	
Kentucky Agent Payment	1,557.99
Kentucky Direct Payment	13,326.01
Total Kentucky Prepaid	14,884.00
Total Kentucky	14,884.00
Mississippi	
Mississippi Prepaid	
Mississippi Agent Payment	116,261.48
Mississippi Direct Payment	91,781.17
Total Mississippi Prepaid	208,042.65
Mississippi - Other	1,265.28
Total Mississippi	209,307.93
Montana	
Montana Prepaid	
Montana Direct Payment	18,504.76
Total Montana Prepaid	18,504.76
Montana - Other	53.92
Total Montana	18,558.68
Nevada	
Nevada Prepaid	
Nevada Direct Payment	2,569.69
Total Nevada Prepaid	2,569.69
Total Nevada	2,569.69
New Mexico	
New Mexico Prepaid	
New Mexico Direct	149.48
Total New Mexico Prepaid	149.48
Total New Mexico	149.48

TEL WEST Communications L.L.C.  
Profit & Loss  
January through December 2003

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	Jan - Dec 03
Oklahoma	
Oklahoma Prepaid	
Oklahoma Direct Payment	4,307.21
Total Oklahoma Prepaid	4,307.21
Oklahoma - Other	80.43
Total Oklahoma	4,387.64
Oregon	
Oregon Prepaid	
Oregon Agent Payment	394,451.55
Oregon Direct Payment	890,649.96
Total Oregon Prepaid	1,285,101.51
Oregon - Other	1,291.98
Total Oregon	1,286,393.49
South Carolina	
South Carolina Prepaid	
South Carolina Agent Payment	728,211.47
South Carolina Direct Payment	527,060.11
Total South Carolina Prepaid	1,255,271.58
South Carolina - Other	27,376.87
Total South Carolina	1,282,648.45
Tennessee	
Tennessee Prepaid	
Tennessee Agent Payment	32,070.88
Tennessee Direct Payment	54,519.47
Total Tennessee Prepaid	86,590.35
Total Tennessee	86,590.35
Utah	
Utah Prepaid	
Utah Agent Payment	324.79
Utah Direct Payment	46,914.92
Total Utah Prepaid	47,239.71
Total Utah	47,239.71
Washington	
QWEST Service Reimbursement	751.78
Washington Prepaid	
Washington Agent Payment	24,949.62
Washington Direct Payment	2,019,619.72
Washington Prepaid - Other	3,892.97
Total Washington Prepaid	2,048,462.31
Washington WATAP Program	1,547,501.88
Washington - Other	214.21
Total Washington	3,596,930.18
Residential Service - Other	0.00
Total Residential Service	10,404,450.87

	Jan - Dec 03
Gross Sales - Other	0.00
Total Gross Sales	12,869,276.65
Miscellaneous Income	
CABS Income	
AZ CABS 711	14,325.33
OR CABS 709	82,462.95
WA CABS 710	236,406.85
Total CABS Income	333,195.13
Handling Charges	2,779.70
Interest Income	8,880.48
Misc Income - In State	54.23
Misc Income - Out of State	-1,439.58
Miscellaneous Income - Other	0.40
Total Miscellaneous Income	343,470.36
Total Income	13,212,747.01
Cost of Goods Sold	
Cost of Goods Sold	
Business Services	
1 Business Check Processing Fee	50.01
AL Service	190.37
CA Services	160.22
GA Service	4,938.45
ID Service	16,158.99
NM Services	88.67
OR Service	89,362.28
UT Services	1,373.81
WA Service	1,210,082.06
Business Services - Other	0.00
Total Business Services	1,322,404.86
Commission - Agent	
Residential Agent	
AL	14,413.52
FL	7,716.06
GA	17,314.45
KY	65.00
MS	3,525.00
SC	57,604.40
Residential Agent - Other	0.00
Total Residential Agent	100,638.43
Total Commission - Agent	100,638.43
Long Distance	
Switch Terminated	44,215.55
Total Long Distance	44,215.55
Long Distance Resale	424,122.86
NEUSTAR Processing Service	8,444.99

	Jan - Dec 03
Post Paid	
3rd Party Verification	19,456.00
Credit Checks	9,924.00
Total Post Paid	29,380.00
Recurring Facility Base Net Exp	
206L040026026	623.45
206L080026026	4,995.28
206L086015015	4,644.34
206R410020020	7,894.06
206R590022022	25,194.87
206R810056056	7,620.39
206R817041041	8,805.16
206Z200365480	5,772.62
Last Mile Connectivity	29,545.14
N153Q1	710.01
N154Q2	2,182.61
N15HQ1	319.05
N15SQ2	10,110.34
N15VQ2	7,878.19
Q0239	486.34
Q3070	4,056.58
Verizon North	3,873.42
Total Recurring Facility Base Net Exp	124,711.85
Residential Service	
1 Check Processing Fees	304,669.25
2 Performance Audit	-11,261.19
AL Residential	712,868.88
AZ Residential	16,233.28
CA Residential	161,962.46
FL Residential	107,550.40
GA Residential	1,152,324.88
ID Residential	717.85
KS Residential	0.00
KY Residential	11,599.54
MS Residential	138,212.63
MT Residential	3,934.74
NV Residential	99.42
OK Residential	1,175.04
OR Residential	547,868.95
SC Residential	911,636.20
TN Residential	75,861.50
UT Residential	6,333.01
WA Residential	
1 WA Residential	879,769.27
2 Performance Audit	
WA Qwest	-282,983.79
WA SPRINT	-33.78
2 Performance Audit - Other	-60,308.08
Total 2 Performance Audit	-343,325.65
WA Residential - Other	1,041,080.38
Total WA Residential	1,577,524.00

TEL WEST Communications L.L.C.  
Profit & Loss  
January through December 2003

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	Jan - Dec 03
Residential Service - Other	-190,487.49
Total Residential Service	5,528,823.35
Voice Mail	
WA Service	14,181.09
Voice Mail - Other	1,439.03
Total Voice Mail	15,620.12
X NSF Chargeback/Recovery	
Checks	9,445.06
Credit Card(s)	48,616.75
X NSF Chargeback/Recovery - Other	-2,815.06
Total X NSF Chargeback/Recovery	55,246.75
Cost of Goods Sold - Other	-223.33
Total Cost of Goods Sold	7,653,385.43
infodirections Service Charge	3,004.40
Total COGS	7,656,389.83
Gross Profit	5,556,357.18
Expense	
Automobile Expense	
Insurance	870.00
Leased Vehicle	7,447.79
Licence & Taxes	659.00
Mileage & Gas	7,266.46
Parking	856.75
Repairs & Maint.	552.50
Taxi	108.00
Automobile Expense - Other	35.00
Total Automobile Expense	17,795.50
Bad Debts	
Bad Debt Agent	21,952.21
Bad Debt Employee	731.77
Total Bad Debts	22,683.98
Bank Service Charges	
Merchant Fees	46,522.58
Monthly Analysis	3,025.54
Service Charge	3,034.94
Wire Fees	1.50
Bank Service Charges - Other	-2,373.14
Total Bank Service Charges	50,211.42
GABS Billing Service	23,532.34
Charitable Donation	4,020.00
Classes, Seminars & Educ Materi	6,646.89
Dues and Subscriptions	8,699.40
Facility Based Network Expenses	115,037.52
Fees & Licenses	65,975.68
Fraud Expense	225.72

TEL WEST Communications L.L.C.  
Profit & Loss  
January through December 2003

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	Jan - Dec 03
Insurance	
Businessowners Policy	1,746.50
Insurance - Auto	1,590.25
Insurance - Health Care	49,700.70
Insurance - Life	1,627.26
Workers Comp	2,276.44
Total Insurance	56,941.15
Interest Expense	
Finance Charge	2,369.60
Loan Interest	2,412.61
Total Interest Expense	4,782.21
Legal Settlement(s)	268,879.56
Marketing Expense	
Advertising	
Post Paid	
Direct Mail	12,891.06
Total Post Paid	12,891.06
Pre-Paid	
Graphic Design	875.00
Total Pre-Paid	875.00
Advertising - Other	519,885.47
Total Advertising	533,651.53
Telemarketing	
Residential	366,073.00
Total Telemarketing	366,073.00
Total Marketing Expense	899,724.53
Office Expense	
Computer Equipment & Supplies	9,285.92
Computer Software	3,426.30
Equipment	
Rent or Lease Exp.	6,431.55
Repair & Maintenance	3,817.28
Total Equipment	10,248.83
Internet Expense	3,962.47
Janitorial	5,447.00
Network Supplies	9,358.93
Office Furniture	989.42
Office Repair & Maintenance	1,402.82
Office Supplies	32,240.54
Rent	171,264.00
Retailer Mdse. Expenses	3,383.45
Security	4,292.61

	Jan - Dec 03
Telephone - Internal	
Cell Phone	
Administration	131.92
External Sales	-350.92
MetroNet	-10.44
Cell Phone - Other	11,768.61
Total Cell Phone	11,539.17
Local	12,374.60
Long Distance	1,056.55
Total Telephone - Internal	24,970.32
Utilities	56,313.09
Office Expense - Other	12.18
Total Office Expense	336,597.88
Outside Labor	
Eschelman, Carl	21,849.58
Firth, Sean	163.50
Myers, Kerry	200.80
Spraggin, Terrance	12,427.00
Sturgall, Isabel	120.00
Wymore, Moon	8,067.54
Total Outside Labor	42,828.42
Payroll Expenses	
Gross Wages	1,532,009.83
TAXES 940 - FEDERAL UNEMPLOY...	4,105.74
TAXES 941 - W/H, MEDICARE, SSI	120,962.89
TAXES AZ State Empl Security	7.00
TAXES FL - Employment Security	378.00
TAXES GA Employment Security	623.09
TAXES MA Employment Security	336.70
TAXES TN - Employment Security	189.00
TAXES WA Employment Security	9,247.57
TAXES WA Labor & Industry	9,427.97
Payroll Expenses - Other	-1,436.02
Total Payroll Expenses	1,675,851.77
Postage & Delivery	
Bill Processing (CostGuard)	619.21
Postage & Delivery - Other	114,170.30
Total Postage & Delivery	114,789.51
Printing and Reproduction	34,986.04
Prior Period Adjustments	-34,290.44
Professional Fees	
Accounting	15,376.08
Consulting	
Network Management & Maint	68,979.09
Qwest Bill Auditing-Sheryl Hild	27,532.50
Regulatory Consulting	57,013.69
Travel	9,330.00
Consulting - Other	27,414.90
Total Consulting	190,270.18

TEL WEST Communications L.L.C.  
Profit & Loss  
January through December 2003

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	Jan - Dec 03
Legal Fees	147,806.80
Total Professional Fees	353,453.06
Promotional / Emp Incentives	20,226.34
Refunds-Customer	26,782.01
Retirement Plan - 401(k) w ING	2,800.00
Storage	500.51
Taxes	
Alabama	
Form 65	100.00
Sales & Use Tax	23,431.99
Total Alabama	23,531.99
Arizona	
Transaction Privilege Use & Ser	2,372.28
Total Arizona	2,372.28
California	
California High Cost Fund A	0.00
California Relay Svc & Dev Fnd	0.00
Emergency Tel User Surcharge	130.64
Form 3522 2003	800.00
Form 568	12,590.00
Total California	13,520.64
Federal	
720	117,816.79
Total Federal	117,816.79
Florida	
Communication Services	11,619.16
Sales & Used Tax	1,296.87
Florida - Other	22.66
Total Florida	12,938.69
Georgia	
Sales & used tax	6,176.54
TRS	173.37
Georgia - Other	25,472.56
Total Georgia	31,822.47
Kentucky	
Monthly Access	0.24
Sales & Use Tax	169.05
Total Kentucky	169.29
Local	14,476.96
Mississippi	
Public Utility Regulatory	884.53
Use Tax	1,337.02
Mississippi - Other	4,052.00
Total Mississippi	6,273.55
Montana	
Telecommunication Excise Tax	126.08
Total Montana	126.08

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ACCEPTED FOR PROCESSING - 2019 September 24 12:06 PM - SCPSC - 2004-133-C - Page 35 of 44

	Jan - Dec 03
New Jersey	
Annual Report	50.00
Total New Jersey	50.00
Oregon	
Universal Service Contribution	15,557.00
Total Oregon	15,557.00
South Carolina	
Municipal Tax	10,495.63
Sales and Used Tax	36,788.13
Universal Service Fund	13,378.00
Total South Carolina	60,661.76
Tennessee	
Form 170 YE 2002	796.00
Sales & Use Tax	3,483.76
Total Tennessee	4,279.76
Universal Service	10,979.13
Utah	
Sales & Used Tax	304.46
Total Utah	304.46
Washington	
Department of Revenue	382,726.11
Labor & Industries	102.50
Total Washington	382,828.61
Taxes - Other	19,418.47
Total Taxes	717,127.93
Travel & Ent	
Air Travel	2,783.98
Car Rental	2,975.74
Entertainment	160.49
Hotels	14,837.93
Meals (In House)	15,542.96
Meals (Traveling)	3,010.77
Travel	1,267.48
Travel & Ent - Other	73.93
Total Travel & Ent	40,653.28
Uncategorized Expenses	243.50
Total Expense	4,877,705.71
Net Ordinary Income	678,651.47
Other Income/Expense	
Other Income	
Other Income	1,580.94
Total Other Income	1,580.94
Net Other Income	1,580.94
Net Income	680,232.41

TEL WEST Communications L.L.C.  
Balance Sheet  
As of December 31, 2003

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	Dec 31, 03
ASSETS	
Current Assets	
Checking/Savings	
AEA - Main	5,210.73
AEA - Money Market	53,632.39
AEA Georgia Escrow Account	64,036.61
AEA Idaho Escrow Account	914.85
Bank of America Checking	7,655.15
Foundation - Main	130,742.37
Foundation - Money Market	502,091.83
Foundation - Payroll	53,347.56
Foundation - Refund 101007441	-1,381.87
Foundation - Refund Clsd FRAUD	1,148.02
SouthTrust Bank	7,205.36
Total Checking/Savings	824,603.00
Accounts Receivable	
Accounts Receivable	22,802.82
Total Accounts Receivable	22,802.82
Other Current Assets	
Employee Receivables	
Mat & Kerry Myers	6,800.00
Total Employee Receivables	6,800.00
Total Other Current Assets	6,800.00
Total Current Assets	854,205.82
Fixed Assets	
Total Fixed Assets	
Accumulated Depreciation	-317,604.00
Company Data and Voice Equipm...	35,419.99
Computers & Office Electronics	167,151.18
Customer Data & Voice Equipment	594,074.06
Equipment and Related Assets	253,345.78
Furniture & Fixtures	69,387.00
Software	47,053.91
Total Total Fixed Assets	848,827.92
Total Fixed Assets	848,827.92
Other Assets	
Other Assets (2)	
Bond	2,068.00
Deposit DATAprose	3,740.00
Total Other Assets (2)	5,808.00

Balance Sheet

As of December 31, 2003

Ex E, Page 12 of 13

	Dec 31, 03
Purchased Customers/Assets	
Accumulated Amortized Deprec	-139,661.00
BWS	3,965.50
HART Non Compete/Goodwill	401,244.00
Metro-net Services Corporation	541,217.39
Reconex	75,250.00
Telstar Customer List	36,019.43
Vision Customer Purchase	256,570.78
Total Purchased Customers/Assets	1,174,606.10
Total Other Assets	1,180,414.10
<b>TOTAL ASSETS</b>	<b>2,883,447.84</b>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	1,713,021.34
Total Accounts Payable	1,713,021.34
Credit Cards	
Credit Cards	
Amex Blue (43006) (41000 ...	21.95
Amex Platinum (41002)	130.04
M/C Citibnk Air(3919) (6411...	-87.95
Total Credit Cards	64.04
Total Credit Cards	64.04
Other Current Liabilities	
Notes Payable (short term)	
Metro-Net Service Corp. (2)	1,122.19
Metro-Net Services Corp.	85,482.47
Total Notes Payable (short term)	86,604.66
Other Current Liabilities	
Prepaid - Gen. Mkt. Bus. Sa...	259,115.78
Prepaid - Gen. Mkt. Res. Sa...	64,870.58
Prepaid - Prepaid Sales	501,652.40
Refunds Payable 2002	729.91
Total Other Current Liabilities	826,368.67
<b>PAYROLL TAXES</b>	
AZ - Liabilities	
AZ- Employment Security	7.00
AZ- State Withholding	104.65
Total AZ - Liabilities	111.65
Federal Taxes	
940 Payable	160.64
941 Liability	20,732.36
Payroll Payable 2003	78,650.19
Total Federal Taxes	99,543.19

Balance Sheet

As of December 31, 2003

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	Dec 31, 03
GA - Liabilities	
GA - Withholding	364.62
Total GA - Liabilities	364.62
MA - Liabilities	
MA - Employment Security	110.00
MA - State Withholding	245.25
Total MA - Liabilities	355.25
Total PAYROLL TAXES	100,374.71
Revenue Taxes Payable	
Local B & O	1,564.02
State B & O Payable	43,606.83
Total Revenue Taxes Payable	45,170.85
Shareholders Payable	
Jeff Swickard	3,168.45
Total Shareholders Payable	3,168.45
Washington Liabilities	
AFLAC-PostTax	243.98
AFLAC-PreTax	519.95
Employment Security - Wash	2,191.24
Labor & Industry - Wash	2,523.08
Met Life	856.12
Payroll Draw	-500.00
WAHIT	5,911.92
Total Washington Liabilities	11,746.29
Total Other Current Liabilities	1,073,433.63
Total Current Liabilities	2,786,519.01
Total Liabilities	2,786,519.01
Equity	
Equity - Jeff	
Equity - Dispersements Jeff	16,430.87
Total Equity - Jeff	16,430.87
Retained Earnings	-599,734.45
Net Income	680,232.41
Total Equity	96,928.83
TOTAL LIABILITIES & EQUITY	2,883,447.84

**TEL WEST COMMUNICATIONS, LLC**  
**APPLICATION FOR APPROVAL OF ASSIGNMENT OF ASSETS**  
**AND**  
**TRANSFER OF CPCN**

**EXHIBIT F**

**TEL WEST KEY PERSONNEL RESUMES**

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**RESUME**

Jeffrey K Swickard  
PO Box 94447  
Seattle, WA 98124

jswickard@telwestcommunications.com

(206) 933-1119

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**Work History**

1998 – Present	Tel West Communications	President and CEO
1997 – 1998	US West	Account Manager
1995 – 1997	AT&T	Account Manager
1995 – 1996	MCI	Account Manager
1993 – 1995	Dean Witter	Marketing
1992 – 1994	AT&T	Customer Service Manager

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**Education**

1994	University of Oregon	BS, Business Management Marketing
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**James G. Schrank**  
7518 – 44<sup>th</sup> Avenue SW / Seattle, Washington 98136  
Phone: (206) 935-4734 and Email: [jimschrank@hotmail.com](mailto:jimschrank@hotmail.com)

**Summary:** I have over 20 years of Accounting and Finance experience, with specific focus in Financial Reporting and Analysis, Budgeting and Forecasting, Revenue-Cycle Management, and Strategic Planning.

**Employment & Work History:**

**January 12, 2001 – September 03, 2002: A.G. Edwards & Sons, Inc.** Seattle, Washington  
Licensed (Series 7 & 66) Investment Advisor, and Accredited Asset Management Specialist

**March 2000 – January 2001: Pacific Medical Center & Clinics** Seattle, Washington  
Senior Managed Care Analyst

Manage financial reporting and analysis for thirteen HMO medical clinics. Perform actuarial analysis of claim reserve/ IBNR and calculate Per Member Per Month (PMPM). Provide analysis of managed care contracts with recommendations to Executive Management to improve profitability. My analysis work predicated the renegotiation, or cancellation of all PacMed managed care contracts, and closure of several unprofitable clinics.

**October 1998 – September 1999: Community Medical Equipment (A Division of Hospice in the Pines)**  
General Manager

Directed and coordinated the activities of financial accounting, human resources, information system management, inventory control, budget development, advertising and public relations, and contract development/administration. Due to marketing and cost control initiatives I implemented, including employee benefits restructure, annualized gross sales increased by 44% (\$700K annualized) and net operating income increased by 515% during my tenure.

**July 1997 – October 1998: Equity Corporation International ("ECI") (NYSE: EQU)** Lufkin, Texas  
Financial Analyst – Corporate Development

Analyzed and interpret financial information for Senior VP Corporate Development and act as liaison between the department and various internal and external individuals, including potential sellers, operations and accounting personnel, and field staff. Established and updated guidelines and ratios used to estimate the value of potential acquisitions and develop financial offers. Develop acquisition presentations for Board of Directors consideration. Fiscal 1997 acquisitions totaled \$150 million, and were estimated at \$225 million in August 1998, prior to announcement that ECI was scheduled to be acquired by Service Corporation International (SCI) in early 1999.

**February 1994 – June 1997: Hospice in the Pines & Divisions** Lufkin, Texas  
Director of Operations & CFO

Developed and managed financial reporting, inventory & fixed asset control, risk management, contract development, information systems, personnel and employee benefits, policy and procedures, marketing, and public relations for Hospice and its divisions. During my tenure, we grew the operation from a small rural Hospice provider, into a regional multi-service provider with \$10+ million in revenues. The development of a full service Durable Medical Equipment (DME) operation enabled "Hospice" to reduce outside vendor expense, provide an additional revenue stream, and expand services.

**1988 – 1993: Memorial Health Systems of East Texas (Regional Healthcare Provider)** Lufkin, Texas  
Director of Business Operations

Directed 43 staff members in the communications, admissions, insurance, receivables, & patient financial services departments. As Director, I implemented the search for, and installation of, a new software system for the facility. Due to initiatives I implemented, cycle time in accounts receivable was reduced from 110+, to a low of 51 days. I also participated in developing strategies for bringing Skilled Nursing, Dialysis, Home Healthcare, Acute Long Term Care, and Nuclear Medicine services successfully into our product service mix.

**1983 – 1988: Temple Inland Inc. – AFCO (Forrest Products, Paper, & Financial Services) (NYSE: TIN)**  
Controller Lufkin/ Diboll, Texas

Responsible for reporting and supervising the accounting functions of budgeting, financial statement presentation, cost accounting, inventory control, accounts receivable, accounts payable, and cash management.

**Education, Licenses & Credentials, Organizations**

BBA / Accounting and Human Resource Management – Stephen F Austin State University (Texas) 1982

NASD Licensed Stock Broker - 2001

Accredited Asset Management Specialist – College of Financial Planning - 2001

West Seattle Rotary Club (Rotarian for 19 Years)

**Education:** Arizona State University  
Bachelor of Science, School of Mechanical/Aerospace Engineering  
Graduated: May 1987

**Experience:** **INFORMATION TECHNOLOGY – Tel West Communications**  
1998 – Present

Create and manage database and technology instruments necessary for operations.

**777 LEAD PROJECT ENGINEER**, Boeing Commercial Aircraft Group  
January 1997 - 1998

- Effectively lead cross-functional teams by driving project definition, schedule, documentation, milestones towards achievement of project objectives.
- Resolution of aircraft electrical, mechanical, software, and pneumatic systems problems requiring short project cycles.
- Demonstrated conflict management skills managing multidiscipline teams during high production rates. Successfully maintained project progress and optimized team productivity.
- Provide immediate onsite support to airline issues. Organized and successfully implemented a multidivisional team, which resolved an two week ongoing problem within 6 hours, returning the aircraft to full revenue service.
- Prepare and present technical material to airlines, and internal organizations, effectively communicating technical solutions, and quickly developing audience trust. Single point of contact for multiple airlines, suppliers, and internal organizations for the 777 secondary power system.
- Effectively listen and respond to the needs of external customers, establishing long lasting positive relationships.
- Created the first company Internet monitored engine field test, allowing personell at various off site locations to operate and monitor systems tests. This test led to the identification and resolution of an ongoing field problem which was elusive for several years.
- Excellent working knowledge of Microsoft Windows, Access, Project, Power Point, Excel, Word Exchange, and Net Meeting.

**Senior Development Engineering Consultant, AlliedSignal**  
April 1994- December 1996

- Provided on-site Engineering representation and technical support to Boeing during the development of the Boeing 737 Next Generation aircraft.
- Provided supplier technical expertise in hardware development and project management during throughout the OEM design and development cycle.
- Recognized for excellent facilitation and people skills between two major companies with supplier/customer relationships.

**Development Engineer, AlliedSignal Aerospace**  
May 1984 - March 1992

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- Project Manager for the AirForce F-22 aircraft advanced secondary power system installation design. Managed research and design team responsible for \$2 million dollar budgets.
- Overseas assignment as Lead Test Engineer for a multi national team in Frankfurt, Germany. Successfully completed aircraft systems compatibility testing for the Airbus A330/A340 commercial aircraft.
- Onsite flight test engineer for at E-Systems for Saudi 747 VIP aircraft modification testing. Conducted testing and provided quick on site problem resolution.
- Provided on site systems engineering support for the development of the Grumman JSTARS aircraft.
- Onsite Flight Test Engineer for the McDonnell Douglas MD-80 aircraft. Remotely interfaced with numerous teams to quickly resolve problems.
- Key member of new products team, identifying potential gas turbine designs for emerging markets for military and commercial aircraft. Proactively sought new customers and identified potential aircraft requirements.
- Organized and wrote numerous proposals which were successful in establishing new business and markets for company products.
- Solved numerous field problems by defining and conducting gas turbine engine testing. Worked with cross functional teams to define, design, and implement fixes into the field.

## Christopher R Sturgul

### Education

1999 SBC Los Angeles, CA  
**CLEC Training**

PACLEX, SWBLEX, Verigate, Toolbar

1999 - 2001 Bellsouth Atlanta, GA  
**CLEC Training**

LENS, CLEC Basic

1999 - 2001 US West Seattle, WA  
**CLEC Training**

IMA, Listings, UNE-P POTS, ASR - Switched Access, DS3, LIS

1999 - University of Washington Seattle, WA  
**Business**

- International business / accounting

1991 - 1993 University of Washington Seattle, WA  
**Graphic Design**

- Graphic design program

### Professional experience

1999 - present Tel West Communications Seattle, WA  
**Manager - Provisioning and Support**

- Supervise provisioning department
- Provision orders
- Conduct training for provisioning and customer service representatives.
- Resolved escalation problems and questions.
- Incorporate new LECs and procedures into provisioning department

1996-1998 Centric Photo Processing Tucson, AZ  
**Art Director for Digital dept.**

- Worked daily with client accounts to ensure smooth communication and resolved any difficulties when they occurred.
- Tested new products and substrates.
- Suggested new suppliers that increased our profit margin by 30%.
- Developed a close relationship with suppliers to ensure prompt delivery and speedy replies to any product inquiries.
- Assisted clients with aesthetic questions about products that they had as well as items that needed to be produced.